

KLINEDINST PC  
801 K STREET, SUITE 2100  
SACRAMENTO, CALIFORNIA 95814

Natalie P. Vance, Bar No. 206708  
Ernest L. Weiss, Bar No. 109459  
W. Jason Scott, Bar No. 222204  
KLINEDINST PC  
801 K Street, Suite 2100  
Sacramento, California 95814  
(916) 444-7573/FAX (916) 444-7544

Attorneys for DARREN KELLY and ALLTECK  
LIMITED PARTNERSHIP (erroneously sued as  
ALLTECK LINE CONTRACTORS, INC.)

Michael A. Kelly, Bar No. 71460  
Richard H. Schoenberger, Bar No. 122190  
Walkup, Melodia, Kelly & Schoenberger  
650 California Street, 26th Floor  
San Francisco, CA 94108

Attorney for Plaintiffs J.P., a minor, by and  
through her guardian ad litem MEGANN PITTS,  
and MEGANN PITTS

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

J.P., a minor, by and through her Guardian Ad  
Litem MEGANN PITTS, and MEGANN  
PITTS, individually,

Plaintiffs,

v.

ALLTECK LINE CONTRACTORS, INC.,  
and DARREN KELLY,

Defendants.

Case No. 2:20-cv-01056-JAM-DMC

**THIRD AMENDED JOINT  
STIPULATION AND REQUEST TO  
EXTEND DEADLINES IN PRETRIAL  
SCHEDULING ORDER; ORDER**

Plaintiffs JP and MEGANN PITTS (“Plaintiffs”), through their counsel  
Walkup, Melodia, Kelly & Schoenberger, and Defendants ALLTECK LINE  
CONTRACTORS, INC., and DARREN KELLY (hereinafter “Defendants”),  
through their counsel Klinedinst PC, hereby stipulate and seek Court approval for  
the following:

**STIPULATION**

Since this Court's Status (Pre-Trial Scheduling) Order of October 8, 2020, the parties have exchanged written discovery. Although this is a motor vehicle accident case, the injuries are complex and treatment is ongoing. Many medical disciplines are involved. In this regard, the medical records are voluminous and current treatment records are still needed for review by qualified professionals before conducting independent medical examinations and preparing expert witness reports required for disclosure.

The parties have encountered additional unforeseen issues in the discovery process, and further issues associated with Covid 19, have resulted in delays in the subpoena process to obtain relevant medical records and documentation needed for expert review. This has prevented the Parties from obtaining all the pertinent records such that additional time is needed to secure the medical and educational records, perform medical examinations, and to complete expert reports.

The Parties request an additional 90 day continuance of all non-expert and expert discovery deadlines in order to complete additional discovery, obtain the necessary medical, education, and treatment records, and to explore the possibility of settling and/or mediating Plaintiffs' claims. The parties have obtained two prior orders from this Court extending the non-expert discovery deadlines, and two prior orders extending the expert discovery deadlines.

Accordingly, the parties request to modify the Scheduling Conference Order as follows:

- (1) Expert Disclosure due by November 12, 2021;
- (2) Rebuttal Expert Disclosure due by November 26, 2021;
- (3) Discovery Cutoff Date: January 14, 2022;
- (4) Dispositive Motion Filing Deadline: February 25, 2022
- (5) Dispositive Motion Hearing: April 19, 2022, at 1:30 p.m.;
- (6) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior

1 to the close of discovery;

2 (7) Final Pretrial Conference: June 3, 2022 at 11:00 a.m.;

3 (8) Jury/Bench Trial: July 25, 2022 at 9:00 a.m.

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5 SO STIPULATED.

6 Walkup, Melodia, Kelly & Schoenberger

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9 By: /s/ Richard H. Schoenberger  
10 DATED: August 10, 2021 (as authorized on August 10, 2021)  
11 Richard H. Schoenberger  
12 Plaintiffs J.P., a minor, by and through  
13 her guardian ad litem MEGANN  
PITTS, and MEGANN PITTS

14 KLINEDINST PC

15  
16  
17 DATED: August 10, 2021 By: /s/ Natalie P. Vance  
18 Natalie P. Vance  
19 Ernest L. Weiss  
20 W. Jason Scott  
21 Attorneys for Defendant  
22 DARREN KELLY and ALLTECK  
LIMITED PARTNERSHIP  
(erroneously sued as ALLTECK LINE  
CONTRACTORS, INC.)

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**ORDER**

Accordingly, for good cause and pursuant to the above Stipulation of the Parties, IT IS HEREBY ORDERED that the Scheduling Conference Order is modified as follows:

- (1) Expert Disclosure due by November 12, 2021;
- (2) Rebuttal Expert Disclosure due by November 26, 2021;
- (3) Discovery Cutoff Date: January 14, 2022;
- (4) Dispositive Motion Filing Deadline: February 25, 2022
- (5) Dispositive Motion Hearing: April 19, 2022, at 1:30 p.m.;
- (6) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior to the close of discovery;
- (7) Final Pretrial Conference: June 3, 2022 at 11:00 a.m.;
- (8) Jury/Bench Trial: July 25, 2022 at 9:00 a.m.

**IT IS SO ORDERED.**

DATED: August 10, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

UNITED STATES DISTRICT COURT JUDGE